

Message Text

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ACTION L-02

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FM AMEMBASSY OSLO

TO SECSTATE WASHDC 8857

INFO AMEMBASSY COPENHAGEN

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E.O. 11652: N/A

TAGS: PFOR CSCS NO US

SUBJ: EXTRADITION TREATY BETWEEN NORWAY AND THE U.S.

REF: A-158, OSLO 3753, OSLO 2082, STATE 91032 AND PREVIOUS

BEGIN SUMMARY. THERE IS WIDE COVERAGE IN THE LEADING NORWEGIAN NEWSPAPERS OF THE INTERVIEW TO BE CONDUCTED OCTOBER 18 IN MEMPHIS, TENN, BY THOR MARTINSEN, OSLO CRIMINAL POLICE INVESTIGATOR, WITH MINNA THOMPSON, PRIME SUSPECT IN THE APRIL 24 MURDER IN OSLO OF THE SPANISH DIPLOMAT'S WIFE. IN ANOTHER ARTICLE CONTAINED IN A DAILY NEWS BULLETIN DISTRIBUTED BY NORWEGIAN MINISTRY OF FOREIGN AFFAIRS, IT IS STATED THAT U.S. GOVERNMENT HAS GIVEN POSITIVE RESPONSE TO NORWEGIAN AUTHORITIES WHO HAVE PROPOSED AN AMENDMENT TO EXISTING EXTRADITION TREATY BETWEEN U.S. AND NORWAY. END SUMMARY.

1. OSLO NEWSPAPER AFTENPOSTEN REPORTS THAT NORWEGIAN AUTHORITIES HAVE PROPOSED THAT PRESENT EXTRADITION AGREEMENT BETWEEN THE U.S. AND NORWAY CONCERNING EXTRADITION OF CRIMINALS BE AMENDED. ACCORDING TO ARTICLE, AUTHORITIES IN THE UNITED STATES HAVE SHOWN GOOD WILL TOWARDS THE NORWEGIAN INITIATIVE AND POSSIBLE AMENDMENTS IN THE AGREEMENT WILL NOW BE THE SUBJECT FOR NEGOTIATIONS BETWEEN THE TWO COUNTRIES. THE NEWSPAPER STATED: "THE NORWEGIAN PROPOSAL

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HAS NO IMMEDIATE CONNECTION WITH THE FACT THAT AN AMERICAN WOMAN

HAS BEEN CHARGED WITH HOMICIDE IN NORWAY BY THE NORWEGIAN PUBLIC PROSECUTION; HOWEVER, THIS CASE HAS, OF COURSE, MADE THE QUESTION OF A NEW EXTRADITION AGREEMENT RELEVANT."

2. ACCORDING TO NORWEGIAN LAW, IT IS NOT POSSIBLE FOR NORWAY TO EXTRADITE HER OWN CITIZENS TO A FOREIGN STATE FOR CRIMES COMMITTED THERE. HOWEVER, ACCORDING TO "AFTENPOSTEN", A SUSPECTED PERSON CAN BE TRIED BY A NORWEGIAN COURT IF THE PUBLIC PROSECUTION FINDS ANY FOUNDATION FOR SUCH AN ACTION. "THERE IS NOTHING EQUIVALENT IN AMERICAN LAW AND THEREFORE, IT IS A THEORETIC POSSIBILITY FOR NORWAY EVEN TODAY, TO REQUEST THAT AN AMERICAN CITIZEN BE EXTRADITED WHO HAS BEEN ACCUSED OF CRIMES HERE" "IN PRACTICE, HOWEVER, SUCH AN EXTRADITION IS EXTREMELY DIFFICULT TO ACCOMPLISH," THE NEWSPAPER SAID.

3. ACCORDING TO THE REPORT, THE PRESENT NEGOTIATIONS BETWEEN NORWAY AND THE U.S. ARE AIMED AT MAKING THE PRESENT AGREEMENT MORE FLEXIBLE, BUT NO INFORMATION HAS BEEN GIVEN ABOUT WHAT PARTICULAR CHANCES ARE BEING SUGGESTED. ASSISTANT DIRECTOR ANDA IN THE NORWEGIAN FOREIGN OFFICE STATED TO THE PRESS THAT NORWEGIAN PURPOSE IN THE NEGOTIATIONS IS TO WORK OUT A BETTER AND MORE FLEXIBLE AGREEMENT THAN THE EXISTING ONE. HE SAID THAT AFTER AMERICAN AUTHORITIES HAVE EVALUATED NORWEGIAN PROPOSALS, THEY WILL PRESENT THEIR OWN.

ACTION REQUESTED:

EMBASSY WOULD APPRECIATE (A) KNOWING IF NEGOTIATIONS HAVE BEEN INITIATED OR ARE PLANNED TO AMEND THE EXISTING EXTRADITION TREATY BETWEEN U.S. AND NORWAY, AND (B) RECEIVING GUIDANCE SHOULD EMBASSY RECEIVE INQUIRIES FROM LOCAL PRESS OR OTHER SOURCES.
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